

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Michael Hubert	Team: Team # 2	CCRB Case #: 200903946	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 03/10/2009 3:15 PM	Location of Incident: West 116th Street and St. Nicholas Avenue	Precinct: 28	18 Mo. SOL 9/10/2010	EO SOL 9/10/2010	
Date/Time CV Reported Tue, 03/10/2009 4:02 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 03/16/2009 11:18 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. SGT Flavio Rodriguez	00806	924407	028 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Flavio Rodriguez	Force: Sgt. Flavio Rodriguez used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
B.SGT Flavio Rodriguez	Discourtesy: Sgt. Flavio Rodriguez spoke obscenely and/or rudely to § 87(2)(b) [REDACTED]	[REDACTED]

Synopsis

§ 87(2)(b) filed the following complaint with IAB under IAB Log# 09-11164 on March 11, 2009. On March 10, 2009, at approximately 3:15 PM, § 87(2)(b) observed her niece, § 87(2)(b) being arrested, in front of 131 Saint Nicholas Avenue in Manhattan, by two plainclothes officers. One of the plainclothes officers was identified by name as Sgt. Flavio Rodriguez. Sgt. Rodriguez pushed § 87(2)(b) away (Allegation A) when she inquired as to what was going on and then told her to, "Get the fuck away from the building," (Allegation B). § 87(2)(b) was not arrested or summonsed.

Phone calls were made to § 87(2)(b) on March 17, 24, April 3 and 8, 2009. An initial interview was scheduled for April 2, 2009 to which § 87(2)(b) did not appear. A missed appointment letter was sent of April 3, 2009. A second interview was scheduled for § 87(2)(b) on April 17, 2009, to which § 87(2)(b) also did not appear. A search of the NYC Department of Corrections website revealed that § 87(2)(b) is not currently incarcerated. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: